

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 7925 OF 1991

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? -
2. To be referred to the Reporter or not? -
3. Whether Their Lordships wish to see the fair copy of the judgement? -
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? -
5. Whether it is to be circulated to the Civil Judge? -

N M SHAH

Versus

STATE OF GUJARAT

Appearance:

MR YN OZA for Petitioner

MR CC BHALJA, AGP for Respondents.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 11/08/98

ORAL JUDGEMENT

This petition has been filed by the petitioner for resolving anomaly in the pay scale given to the petitioner.

2. The petitioner joined the service as a Radio Mechanic in L.E. Engineering College, at Morbi on 25-3-1956 and he retired on 30th June, 1996 as a Curator. The learned advocate for the petitioner submitted that

the petitioner had made various representations before the respondents to grant him pay scale which was being given to other persons having the same status. Even after retirement the other person named Shri A.K. Nakrani was appointed in his place and he is also getting pay scale of Rs. 4500-7000. While the petitioner was getting pay scale of Rs. 4000-6000. The authorities have discriminated the petitioner in applying the pay scale to him. There may be various factors which might be placed before proper authorities not to give proper pay scale to the petitioner. But no affidavit has been filed in this Court in that regard. This Court has no sufficient material to decide this anomaly of the pay scale of the petitioner.

3. In my view, it would be proper that the petitioner may file a representation before the proper authority (respondent. 2 - Director of Technical Education, Technical Department) giving out all the necessary facts and his grievances. The proper authority (respondent no. 2 herein) will decide that representation in accordance with law.

4. Accordingly, this petition is disposed of with the observation that the petitioner may file a representation before the proper authority (respondent no. 2 herein) within a period of three weeks giving out all the necessary facts and his grievances and if such representation is filed by the petitioner within a stipulated period the proper authority (respondent no. 2) is directed to decide the same within a period of three months. Notice is discharged with no order as to costs.

5. With the above directions, this petition is disposed of. Notice is discharged with no order as to costs.